IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3555 OF 2008
IN
MISC.PETITION NO.22 OF 1999

Menka B. Bhatia @ Manju Adhiya .. Petitioner
Versus
Bhagwandas Dilip Boral & Anr. .. Respondents

Mr.H.Engineer for petitioner
Mr.N.D.Boral respondent No.2 in person.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 3rd February 2009.

P.C.

. From the contents of the letter dated 20th October 2008, it is apparent to me that the first respondent is duly served.

2. After leave for substituted service was granted and service completed by petitioner's Advocate, the second respondent has appeared in Court at the hearing today. The second

respondent Mr.Nandraj Boral is present in court today. He states that he does not wish to engage any Advocate. More so, when he is agreeable to the flat being sold.

3. At his request, time till 9th February 2009 is granted in order to enable the second respondent to have a copy of the proceedings.

4. The petitioner is in possession of this flat and it is stated that the order has been passed on 14th March 2000 by this Court disposing of the petition in terms of the consent terms. Thereafter, this Court has passed further orders and I am informed that the Court Receiver has been appointed as Receiver of the flat in question. The petitioner is occupying the flat as an Agent of the Court Receiver. However, the petitioner and respondents are agreeable to the consent terms. They have no objection if the said terms and the order passed in pursuance

thereof are implemented by this Court by directing sale of the said flat. At the request of the parties and to enable the respondent No.2 to peruse the proceedings, S.O. 9th February 2009. Affidavit of service tendered by petitioner’s Advocate is taken on record.

(S.C.Dharmadhikari, J)